

REMARKS

The present application was filed on February 28, 2002 with claims 1-21. Claims 1-21 were pending in the application prior to the amendments herein. Claims 1, 20 and 21 are the pending independent claims.

Claims 1-21 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 1, 4-13, 15-18 and 20 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,389,019 (hereinafter "Fan").

Claims 1, 4, 14, 19 and 20 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,889,763 (hereinafter "Boland").

Claims 2, 3, 19 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fan, Fan in view of Boland, or Fan in view of U.S. Patent No. 5,455,948 (hereinafter "Poole").

In this response, Applicants amend independent claims 1, 20 and 21. Applicants respectfully request reconsideration of the present application in view of the amendments above and remarks below.

Claims 1, 20 and 21 have each been amended to replace the objected-to phrase "the maintenance" with --maintenance--. Accordingly, the rejection under §112 is believed to have been overcome.

Each of the independent claims has also been amended to recite that a particular location in the time slot table is assigned to one or more of the transmission elements as a function of both a current time and the transmission interval. Such an arrangement is not shown in the collective teachings of Fan, Boland or Poole. For example, with reference to the particular equation shown in dependent claim 9, which may be viewed as a further restriction of the limitation added to claims 1, 20 and 21, the Examiner relies on column 7, lines 2-21, and column 9, lines 1-2, of Fan. See the Office Action at page 5, first paragraph. However, this portion of Fan does not meet the added limitation, nor the limitation of dependent claim 9. Although a current time is mentioned in this portion of Fan, there is no particular time slot table location which is assigned as a function of both a current time and a determined transmission interval, as recited. To the contrary, Fan at column 7, lines 17-18, mentions a cell being eligible for transmission "at the earlier of two times," namely, (1) the current time (CT); or (2) $1/R_i$ cell times after the last cell departure from Q_i . Neither of these cases meets the claim limitation

regarding a particular time slot table location which is assigned as a function of both a current time and a determined transmission interval.

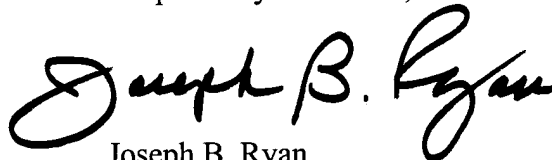
Claims 1, 20 and 21 have further been amended to recite a hardware-implemented scheduler, and a software-implemented interval computation element external to the hardware-implemented scheduler, with adjustment of the transmission interval by the interval computation element allowing the hardware-implemented scheduler to support one or more scheduling algorithms not otherwise supported by the hardware-implemented scheduler alone. Support for the amendment can be found in the specification at, for example, page 2, lines 11-19; page 10, line 26, to page 11, line 2; page 11, line 21, to page 12, line 3; and page 12, lines 10-18. See also the illustrative embodiments of FIGS. 3 and 5.

It is believed that the collective teachings of Fan, Boland and Poole fail to meet the limitations of claims 1, 20 and 21 as amended, and fail to provide the associated advantages in terms of enhanced scheduling algorithm flexibility for a given hardware-implemented scheduler.

Dependent claims 2-19 are believed allowable for at least the reasons identified above with regard to claim 1.

In view of the foregoing, claims 1-21 are believed to be in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink that reads "Joseph B. Ryan". The signature is fluid and cursive, with the first name "Joseph" being more prominent than the last name "Ryan".

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